

NO. 26019

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

---

MARSHALL J. HOLT, Petitioner,

vs.

THE HONORABLE HILARY BENSON GANGNES and THE HONORABLE DAVID LO,  
JUDGES OF THE DISTRICT COURT OF THE FIRST JUDICIAL CIRCUIT,  
Respondent Judges,

and

STEPHEN T. SAWYER, Respondent-Real Party in Interest

---

ORIGINAL PROCEEDING  
(CIVIL NO. 1RC03-1-3137)

ORDER DENYING PETITION

(By: Levinson, Acting C.J., Nakayama, Acoba, and Duffy, JJ. and  
Circuit Judge Pollack, in place of Moon, C.J., unavailable)

Upon consideration of Petitioner Marshall J. Holt's  
"petition for writ of prohibition and/or mandamus, and/or for an  
emergency stay" and the exhibits appended thereto, it appears  
that Petitioner Holt may seek review by way of appeal if judgment  
is entered against him in the first circuit district court's  
summary disposition case. Therefore,

IT IS HEREBY ORDERED that the petition is denied. This  
denial is without prejudice to any remedy Petitioner Holt may  
seek by way of appeal.

DATED: Honolulu, Hawai'i, August 13, 2003.

Gary Victor Dubin  
for Petitioner on the motion